



Sen. James F. Clayborne Jr.

Filed: 5/5/2009

09600HB2448sam001

LRB096 10847 NHT 26002 a

1 AMENDMENT TO HOUSE BILL 2448

2 AMENDMENT NO. _____. Amend House Bill 2448 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by adding Section
5 10-29 as follows:

6 (105 ILCS 5/10-29 new)

7 Sec. 10-29. Remote educational programs.

8 (a) For purposes of this Section, "remote educational
9 program" means an educational program delivered to students in
10 the home or other location outside of a school building that
11 meets all of the following criteria:

12 (1) A student may participate in the program only after
13 the school district, pursuant to adopted school board
14 policy, and a person authorized to enroll the student under
15 Section 10-20.12b of this Code determine that a remote
16 educational program will best serve the student's

1 individual learning needs. The adopted school board policy
2 shall include, but not be limited to, all of the following:

3 (A) Criteria for determining that a remote
4 educational program will best serve a student's
5 individual learning needs. The criteria must include
6 consideration of, at a minimum, a student's prior
7 attendance, disciplinary record, and academic history.

8 (B) Any limitations on the number of students or
9 grade levels that may participate in a remote
10 educational program.

11 (C) A description of the process that the school
12 district will use to approve participation in the
13 remote educational program. The process must include
14 without limitation a requirement that, for any student
15 who qualifies to receive services pursuant to the
16 federal Individuals with Disabilities Education
17 Improvement Act of 2004, the student's participation
18 in a remote educational program receive prior approval
19 from the student's individualized education program
20 team.

21 (D) A description of the process the school
22 district will use to develop and approve a written
23 remote educational plan that meets the requirements of
24 subdivision (5) of this subsection (a).

25 (E) A description of the system the school district
26 will establish to calculate the number of clock hours a

1 student is participating in instruction in accordance
2 with the remote educational program.

3 (F) A description of the process for renewing a
4 remote educational program at the expiration of its
5 term.

6 (G) Such other terms and provisions as the school
7 district deems necessary to provide for the
8 establishment and delivery of a remote educational
9 program.

10 (2) The school district has determined that the remote
11 educational program's curriculum is aligned to State
12 learning standards and that the program offers instruction
13 and educational experiences consistent with those given to
14 students at the same grade level in the district.

15 (3) The remote educational program is delivered by
16 instructors that meet the following qualifications:

17 (A) they are certificated under Article 21 of this
18 Code;

19 (B) they meet applicable highly qualified criteria
20 under the federal No Child Left Behind Act of 2001; and

21 (C) they have responsibility for all of the
22 following elements of the program: planning
23 instruction, diagnosing learning needs, prescribing
24 content delivery through class activities, assessing
25 learning, reporting outcomes to administrators and
26 parents and guardians, and evaluating the effects of

1 instruction.

2 (4) During the period of the calendar year included
3 within the regular school term of the school district,
4 participation in a remote educational program may be
5 claimed for general State aid purposes under Section
6 18-8.05 of this Code only on days of pupil attendance or
7 institute days included within the school district's
8 calendar established pursuant to Section 10-19 of this
9 Code. Outside of the regular school term of the district,
10 the remote educational program may be offered as part of
11 any summer school program authorized by this Code.

12 (5) Each student participating in a remote educational
13 program must have a written remote educational plan that
14 that has been approved by the school district and a person
15 authorized to enroll the student under Section 10-20.12b of
16 this Code. The school district and a person authorized to
17 enroll the student under Section 10-20.12b of this Code
18 must approve any amendment to a remote educational plan.
19 The remote educational plan must include, but is not
20 limited to, all of the following:

21 (A) Specific achievement goals for the student
22 aligned to State learning standards.

23 (B) A description of all assessments that will be
24 used to measure student progress, which description
25 shall indicate the assessments that will be
26 administered at an attendance center within the school

1 district.

2 (C) A description of the progress reports that will
3 be provided to the school district and the person or
4 persons authorized to enroll the student under Section
5 10-20.12b of this Code.

6 (D) Expectations, processes, and schedules for
7 interaction between a teacher and student.

8 (E) A description of the specific responsibilities
9 of the student's family and the school district with
10 respect to equipment, materials, phone and Internet
11 service, and any other requirements applicable to the
12 home or other location outside of a school building
13 necessary for the delivery of the remote educational
14 program.

15 (F) If applicable, a description of how the remote
16 educational program will be delivered in a manner
17 consistent with the student's individualized education
18 program required by Section 614(d) of the federal
19 Individuals with Disabilities Education Improvement
20 Act of 2004 or plan to ensure compliance with Section
21 504 of the federal Rehabilitation Act of 1973.

22 (G) A description of the procedures and
23 opportunities for participation in academic and
24 extra-curricular activities and programs within the
25 school district.

26 (H) The identification of a parent, guardian, or

1 other responsible adult who will provide direct
2 supervision of the program. The plan must include an
3 acknowledgment by the parent, guardian, or other
4 responsible adult that he or she may engage only in
5 non-teaching duties not requiring instructional
6 judgment or the evaluation of a student. The plan shall
7 designate the parent, guardian, or other responsible
8 adult as non-teaching personnel or volunteer personnel
9 under subsection (a) of Section 10-22.34 of this Code.

10 (I) The identification of a school district
11 administrator who will oversee the remote educational
12 program on behalf of the school district and who may be
13 contacted by the student's parents with respect to any
14 issues or concerns with the program.

15 (J) The term of the student's participation in the
16 remote educational program, which may not extend for
17 longer than 12 months, unless the term is renewed by
18 the district in accordance with subdivision (7) of this
19 subsection (a).

20 (K) A description of the specific location or
21 locations in which the program will be delivered. If
22 the remote educational program is to be delivered to a
23 student in any location other than the student's home,
24 the plan must include a written determination by the
25 school district that the location will provide a
26 learning environment appropriate for the delivery of

1 the program. The location or locations in which the
2 program will be delivered shall be deemed a long
3 distance teaching reception area under subsection (a)
4 of Section 10-22.34 of this Code.

5 (L) Certification by the school district that the
6 plan meets all other requirements of this Section.

7 (6) Students participating in a remote educational
8 program must be enrolled in a school district attendance
9 center pursuant to the school district's enrollment policy
10 or policies. A student participating in a remote
11 educational program must be tested as part of all
12 assessments administered by the school district pursuant
13 to Section 2-3.64 of this Code at the attendance center in
14 which the student is enrolled and in accordance with the
15 attendance center's assessment policies and schedule. The
16 student must be included within all adequate yearly
17 progress and other accountability determinations for the
18 school district and attendance center under State and
19 federal law.

20 (7) The term of a student's participation in a remote
21 educational program may not extend for longer than 12
22 months, unless the term is renewed by the school district.
23 The district may only renew a student's participation in a
24 remote educational program following an evaluation of the
25 student's progress in the program, a determination that the
26 student's continuation in the program will best serve the

1 student's individual learning needs, and an amendment to
2 the student's written remote educational plan addressing
3 any changes for the upcoming term of the program.

4 (b) A school district may, by resolution of its school
5 board, establish a remote educational program.

6 (c) Days of attendance by students in a remote educational
7 program meeting the requirements of this Section may be claimed
8 by the school district and shall be counted as school work for
9 general State aid purposes in accordance with and subject to
10 the limitations of Section 18-8.05 of this Code.

11 (d) The impact of remote educational programs on wages,
12 hours, and terms and conditions of employment of educational
13 employees within the school district shall be subject to local
14 collective bargaining agreements.

15 (e) The use of a home or other location outside of a school
16 building for a remote educational program shall not cause the
17 home or other location to be deemed a public school facility.

18 (f) A remote educational program may be used, but is not
19 required, for instruction delivered to a student in the home or
20 other location outside of a school building that is not claimed
21 for general State aid purposes under Section 18-8.05 of this
22 Code.

23 (g) School districts that, pursuant to this Section, adopt
24 a policy for a remote educational program must submit to the
25 State Board of Education a copy of the policy and any
26 amendments thereto, as well as data on student participation in

1 a format specified by the State Board of Education. The State
2 Board of Education may perform or contract with an outside
3 entity to perform an evaluation of remote educational programs
4 in this State.

5 (h) The State Board of Education may adopt any rules
6 necessary to ensure compliance by remote educational programs
7 with the requirements of this Section and other applicable
8 legal requirements.

9 Section 99. Effective date. This Act takes effect upon
10 becoming law.".